

developed the fact that there was not a quorum present.

### ADJOURNMENT.

Mr. Teer moved that the House adjourn until 10 o'clock a. m. next Monday.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—56.

Acker.	Olsen.
Avis.	Pearce.
Barron.	Poage.
Bass.	Pool.
Black.	Powell.
Boon.	Rawlins.
Brown.	Renfro of Mills.
Eickenroht.	Rowell.
Finlay.	Runge.
Fly.	Sanders.
Foster.	Shirley.
Gates.	Sinks.
Gibson.	Smith of Smith.
Gilbert.	Smyth.
Graves.	Stevenson.
Hagaman.	Storey.
Harman.	Tillotson.
Hefley.	Van Zandt.
Holland.	Wallace
Hornaday.	of Freestone.
Justice.	Wallace of Panola.
Kirkland.	Wallace of Smith.
Land.	Ware.
Loftin.	Webb.
Loy.	Williams
McKean.	of Sabine.
Minor.	Woodall.
Nabors.	

Nays—41.

Barnett.	Pavlica.
Bateman.	Pope.
Boggs.	Porter.
Branch.	Purl.
Brice.	Rogers of Hays.
Cornwell.	Rogers of Shelby.
Daniel.	Sheats.
Davis.	Simmons.
DeBerry.	Smith of Nueces.
Enderby.	Snelgrove.
Faulk.	Stell.
Forbes.	Stout.
Gray.	Swain.
High.	Veatch.
Jacks.	Walker.
Jones.	Whitaker.
Keeton.	Williams
Kincaid.	of Travis.
King of Hopkins.	Williamson.
McGill.	Woodruff.
Murphy.	Young.

Absent.

Albritton.	Anderson.
Alexander.	Beck.

Bird.	Long.
Bonham.	Masterson.
Cox.	McCombs.
Cummings.	Montgomery.
Dielmann.	Morse.
Dunlap.	Moursund.
Duvall.	Nicholson.
Farrar.	Parrish of Travis.
Fuchs.	Petsch.
Hall.	Renfro
Harding.	of Angelina.
Hogg.	Satterwhite.
Holder.	Shaver.
Johnson	Shearer.
of Anderson.	Smith of Atascosa.
Johnson	Smith of El Paso.
of Dimmit.	Taylor.
Kayton.	Teer.
Kemble.	Turner.
Kennedy.	Waddell.
Kirby.	Wassell.
Lipscomb.	Wells.

Absent—Excused.

Conway.	Kinnear.
Denman.	Merritt.
Kenyon.	Parish of Runnels.
King of	Reagan.
Throckmorton.	Sutton.

The House, accordingly, at 3:45 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

### EIGHTH DAY.

(Monday, May 23, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Dielmann.
Albritton.	Dunlap.
Alexander.	Duvall.
Anderson.	Enderby.
Avis.	Eickenroht.
Bass.	Farrar.
Bateman.	Faulk.
Beck.	Finlay.
Bird.	Fly.
Black.	Forbes.
Boggs.	Foster.
Bonham.	Gates.
Boon.	Gilbert.
Branch.	Graves.
Brice.	Gray.
Brown.	Hagaman.
Cornwell.	Hall.
Cox.	Harman.
Daniel.	High.
Davis.	Hogg.
DeBerry.	Holder.

Holland.	Rowell.
Hornaday.	Runge.
Jacks.	Sanders.
Johnson	Satterwhite.
of Anderson.	Shearer.
Johnson	Sheats.
of Dimmit.	Shirley.
Jones.	Simmons.
Justice.	Sinks.
Kayton.	Smith of El Paso.
Keeton.	Smith of Nueces.
Kemble.	Smith of Smith.
Kennedy.	Smyth.
Kincaid.	Snelgrove.
King of Hopkins.	Stell.
Kirkland.	Stevenson.
Land.	Storey.
Lewis.	Stout.
Lipscomb.	Swain.
Loftin.	Taylor.
McCombs.	Teer.
McGill.	Tillotson.
McKean.	Van Zandt.
Minor.	Veatch.
Montgomery.	Waddell.
Morse.	Walker.
Murphy.	Wallace
Nicholson.	of Freestone.
Parrish of Travis.	Wallace of Panola.
Pavlica.	Wallace of Smith.
Pearce.	Ware.
Poage.	Webb.
Pool.	Wells.
Pope.	Whitaker.
Porter.	Williams
Powell.	of Sabine.
Purl.	Williams
Rawlins.	of Travis.
Renfro	Williamson.
of Angelina.	Woodall.
Renfro of Mills.	Woodruff.
Rogers of Hays.	Young.
Rogers of Shelby.	

Absent.

Hefley.	Petsch.
Merritt.	Shaver.

Absent—Excused.

Barnett.	Long.
Barron.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Fuchs.	Olsen.
Gibson.	Parish of Runnels.
Harding.	Reagan.
Kenyon.	Smith of Atascosa.
King of	Sutton.
Throckmorton.	Turner.
Kinnear.	Wassell.
Kirby.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Turner for today, on motion of Mr. Kennedy.

Mr. Reagan and Mr. Long for today, on motion of Mr. Smith of Smith.

Mr. Anderson and Mr. Kayton for today, on motion of Mr. Williamson.

Mr. Olsen for today, on motion of Mr. Albritton.

Mr. Moursund for today, on motion of Mr. Alexander of Bastrop.

Mr. Smith of Atascosa for today and indefinitely, on motion of Mr. Shearer.

Mr. Masterson for today, on motion of Mr. Sheats.

Mr. Sutton, Mr. Denman and Mr. Kenyon for today, on motion of Mr. Jones.

Mr. Loy for today, on motion of Mr. Minor.

Mr. Kirby for today, on motion of Mr. Hogg.

Mr. Barnett for today, on motion of Mr. Gilbert.

Mr. Cummings for last Friday and today, on motion of Mr. Brown.

Mr. Nabors for today, on motion of Mr. Boon.

Mr. Wassell for today, on motion of Mr. Walker.

Mr. King of Throckmorton for today, on motion of Mr. Boggs.

Mr. Gibson for today, on motion of Mr. Woodall.

Mr. Parish of Runnels for today, on motion of Mr. Rogers of Shelby.

Mr. Harding and Mr. Barron for today, on motion of Mr. Swain.

The following members were granted leaves of absence on account of sickness:

Mr. Conway for today, on motion of Mr. Gilbert.

Mr. Fuchs for today, on motion of Mr. Boggs.

## HOUSE BILL ON FIRST READING.

The following House bill introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Finlay:

H. B. No. 19, A bill to be entitled "An Act to create a more efficient road system for San Saba county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts and prescribing their duties as such, and providing for the compensation of road commissioners, de-

fining the duties of the commissioners court with reference to roads and bridges; providing for the appointment of overseers and defining their duties, and providing for compensation for certain labors; giving persons subject to road duty in San Saba county and persons summoned to work on the public roads of said county the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated; and providing for the accounting for and the disposition to be made of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing and providing for the working of county convicts upon the public roads, and providing for the payment of officers' fees; providing that delinquent poll tax payers shall be subject to three days' road duty; requiring the tax collector of San Saba county to furnish to the commissioners court a list of all persons who fail to pay their poll tax; providing for the condemnation of any land needed for the widening, straightening, changing or draining of public roads; providing for the taking of timber, gravel, earth, stone or other material for the making or improving of public roads and bridges; requiring certain road and bridge work to be done by contract; authorizing and empowering the said San Saba county to issue bonds for the construction and maintenance of public roads and bridges within said county, and to provide for a tax to create a sinking fund to pay the same; providing that this act shall control in San Saba county in all cases wherein it differs from or is inconsistent and conflicts with the general law on the subject of roads and bridges, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

#### COMMUNICATION FROM WEST TEXAS CHAMBER OF COMMERCE.

The Speaker laid before the House and had read the following communication:

West Texas Chamber of Commerce.  
Stamford, Texas, May 21, 1927.

Hon. Robert L. Bobbitt, Speaker, House of Representatives, Austin, Texas.

Dear Mr. Speaker: The West Texas Chamber of Commerce deeply appreciated the greetings extended by your Honorable Body on the occasion of the ninth annual convention in Wichita

Falls, May 16-17, and cordially reciprocates the good feelings expressed.

It is a coveted ambition of this organization to be a factor in the constructive development of Texas, although an organization essentially interested in the western half of the State. We have an abiding faith in the good judgment and patriotic impulses of your membership and beg to give you the assurance that it is a great pleasure to recognize your worth in Texas, and we want to join you most heartily in every effort to make the Lone Star State a better place in which to live and for the peace, happiness and prosperity thereof.

Sincerely yours,  
WEST TEXAS CHAMBER OF  
COMMERCE,  
R. W. Haynie, President.  
Homer D. Wade, Manager.

#### RELATING TO BASEBALL GAME.

Mr. Holder offered the following resolution:

Whereas, The baseball team from the House of Representatives, which played a game with a team from the Senate of Texas, composed of a few Senators, a lot of ringers and employes, on Clark Field, May 18, 1927, was composed of bona fide members of the House of Representatives, who acquitted themselves with honor on the ball field and played the game according to the rule, and would have been decided the winner of said game had it not been for the flim-flaming of the umpire at first base and the alleged honesty and timidity of the so-called umpire at third base; and

Whereas, Hon. Ben Woodall of Harrison county and Hon. Alton Swain of Fannin county gave a great deal of their time and energy to the organization of said team; and

Whereas, The House of Representatives has received more than two hundred (\$200) dollars as net income from said game to be delivered to the needy storm sufferers in the State of Texas; therefore, be it

Resolved, That the House of Representatives extend its thanks to Hon. Ben Woodall and Hon. Alton Swain, as well as to all other members of the House of Representatives who played on said team, for their efficient conduct and splendid sportsmanship displayed in said game. Be it further

Resolved, That in case another baseball game is arranged between the Senate and House of Representatives that it is a sense of this body that in lieu of the umpires used in the game of May 18, 1927, to wit, Hon. Barry Miller,

Lieutenant Governor of Texas, and the Hon. Robert Lee Bobbitt, Speaker of the House of Representatives, umpires be secured from the Blind, Deaf and Dumb Institute of our city, to the end that accurate and honest consideration may be given to the efforts of the players.

Signed—Holder, Duvall.

The resolution was read second time and was adopted.

#### EXTENDING APPRECIATION TO MR. WILLIAM J. DISCH.

Mr. Woodall offered the following resolution:

H. C. R. No. 2, Extending appreciation to Mr. William J. Disch.

Whereas, The House of Representatives and the Senate of the State of Texas, on May 18, played a baseball game for the benefit of storm sufferers in this State; and

Whereas, That dean of all baseball coaches, the diamond wizard of the University of Texas, William J. Disch, was largely responsible for all success which attended the joint efforts of the House and Senate; therefore be it

Resolved, That the House of Representatives, the Senate concurring, hereby express their profound appreciation to Mr. Disch and the University authorities who assisted him for their splendid efforts in behalf of the game; and be it further

Resolved, That a copy of this resolution be sent Mr. Disch and printed in the Journal.

Signed — Woodall, Finlay, Sheats, Young, Faulk, Swain.

The resolution was read second time and was adopted.

#### PROVIDING FOR DISPOSITION OF FUNDS DERIVED FROM BASEBALL GAME.

Mr. Woodall offered the following resolution:

Whereas, The net income from the baseball game played on Clark Field on the 18th day of May, A. D. 1927, between the House of Representatives and the Senate of Texas, amounts to the sum of two hundred and three (\$203) dollars, which amount has been placed in the hands of the Speaker of the House; and

Whereas, The proceeds of said game, it was understood, should be sent to the needy storm sufferers of our State; therefore, be it

Resolved, That the Speaker be, and is hereby instructed, to deliver said sum of money: one-third to the committee in charge of relief work in the city of Nevada, Texas; one-third to the chairman of the committee of relief of the city of Garland, Texas, and one-third to Tigertown, Texas.

Signed—Woodall, Swain.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 3, Expressing appreciation to Coach "Billy" Disch for his kindness in furnishing equipment, etc., for the ball game.

S. B. No. 4, A bill to be entitled "An Act making appropriations for the State government for two years beginning September 1, 1927, and ending August 31, 1929, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act amending Section 3a of Chapter 274 of the General Laws of the Regular Session of the Fortieth Legislature so as to insert therein a saving clause in reference to offenses committed before this act takes effect."

S. B. No. 16, A bill to be entitled "An Act making an appropriation of the sum of \$31,409.85, or so much thereof as may be necessary, payable out of the general revenue not otherwise appropriated, and appropriating all other current revenue, or so much thereof as may be necessary, to be derived from the operation of the Texas State Railroad until August 31, 1927, and to be deposited in the State Treasury; said appropriation being for the traveling, clerical and other expenses of the Board of Managers, and all other expenses connected with the sale and maintenance, operation or lease of said railroad, and being for the period up to and including August 31, 1927, and declaring an emergency."

Respectfully,  
MORRIS S. HANKINS,  
Assistant Secretary of the Senate.



## HOUSE BILL NO. 2 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment.

H. B. No. 2, A bill to be entitled "An Act making appropriations for the support and maintenance of the State government for the fiscal years ending August 31, 1928, and August 31, 1929, and declaring an emergency."

With an amendment by Mr. Purl and motion by Mr. Wells to table the motion pending.

Mr. Wells withdrew the motion to table.

On motion of Mr. Dielmann, the House agreed to take up for consideration at this time the section of the bill relating to the Labor Department, with amendment by Mr. Purl to this section pending.

Question recurring on the amendment by Mr. Purl, it was adopted.

Mr. Runge offered the following substitute to the amendment by Mr. Purl to the section of the bill relating to the Game, Fish and Oyster Commission.

Strike out all of lines 1 to 17, inclusive, page 27, House bill No. 2, and insert in lieu therefor the following:

"The foregoing specific appropriations out of the sand, shell and gravel fund, as provided in Chapter 183, Acts of the Thirty-ninth Legislature, shall be the maximum salaries for superintendent and assistant superintendents. And all moneys now on hand in the State Treasury to the credit of the sand, shell and gravel fund, together with the current revenue to be derived and placed to the credit of this fund in the State Treasury, during the next ensuing two years, is hereby appropriated and shall be used in the establishment and maintenance of fresh and salt water fish hatcheries, and for the enforcement of the collection of royalties due the State for sand, shell and gravel and for making refunds to State Highway Commission, cities and counties as provided by Section 9, Chapter 161, of General Laws of the Regular Session of the Thirty-eighth Legislature.

"Provided, however, that no salary paid to additional employes shall exceed the amounts herein appropriated for similar positions, and that no new positions shall be created except for the same purposes herein provided for and that no expense accounts shall be allowed and paid as a stated allowance, but expenses actually incurred shall be signed

and sworn to, as is provided by law. All disbursements shall be made on warrants drawn by the Comptroller on State Treasury."

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Teer offered the following amendment to the section of the bill relating to the General Land Office:

Amend House bill No. 2, page 30, line 11, by striking out the figures "\$2300" for the year 1929, and insert in lieu thereof the figures "\$300" for the year 1929.

The amendment was adopted.

Mr. Gilbert offered the following amendment to the section of the bill relating to the State Highway Department:

Amend House bill No. 2, page 31, line 5, by striking out the figures "\$5400" in the first column, and inserting in lieu thereof the figures "\$6000"; also the figures "\$5400" in the second column and inserting in lieu thereof the figures "\$6000," and correct the totals accordingly.

Signed—Gilbert, Woodall, Swain, Sheats.

The amendment was lost.

Mr. Alexander offered the following amendment to this section of the bill:

Amend House bill No. 2, page 30, line 40, by striking out the figures "\$10,000" in the first column and inserting in lieu thereof the figures "\$8000"; also the figures "10,000" in the second column and inserting in lieu thereof the figures "\$8000," and correct the totals accordingly.

Mr. Loftin offered the following substitute for the amendment:

Amend House bill No. 2, line 40, page 30, by striking out the figures "\$10,000" and insert in lieu thereof the figures "\$7,500.00" in each year.

Signed—Loftin, Sanders.

On motion of Mr. Johnson of Dimmit, the substitute amendment was tabled.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 3, Inviting the Governor

to address a joint session of the House and Senate at 11 o'clock today.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### ADDRESS BY GOVERNOR MOODY.

Mr. Rawlins offered the following resolution:

H. C. R. No. 3, Inviting Governor Moody to address a joint session of the House and Senate.

Whereas, It is understood that additional legislation is to be submitted at this session of the Legislature; and

Whereas, It is understood that the Governor is preparing a message to the Legislature today; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Governor be invited to deliver his message in person before a joint session of the Senate and House of Representatives at 11 a. m. today.

Signed—Rawlins, Fly, Sinks, Harman, Pool, Teer.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the following committee to escort the Honorable Dan Moody, Governor of Texas, to the Speaker's stand:

Messrs. Rawlins, Fly, Teer, Harman, Pool, Sinks, Tillotson, Poage and Brice.

The Honorable Senate being announced at the bar of the House were admitted and escorted to seats already prepared for them along the aisles.

Hon. Tom Pollard, President Pro Tempore of the Senate, being invited, occupied a seat on the Speaker's stand.

The Governor and party, escorted by the committee heretofore appointed, appeared at the bar of the House, and being announced, were admitted and escorted to seats on the Speaker's stand.

Speaker Bobbitt then presented Hon. Tom Pollard who presented Hon. Dan Moody to the assemblage.

Governor Moody then addressed the joint session and presented the following message:

Executive Office,  
Austin, Texas, May 23, 1927.

To the Members of the Fortieth Legislature.

Gentlemen: The proclamation convening the Fortieth Legislature in extra session and the first message sent to the extra session mention three subjects for legislative consideration. These sub-

jects were: first, general appropriations for the support of the departments and institutions of the State government through the ensuing biennium; second, the enactment of a classified civil service law providing for the selection of subordinate State employes by the merit system; and third, legislation to further facilitate the building of correlated public highways.

It was anticipated at that time that the work of the Appropriation Committee of the House and the Finance Committee of the Senate during the interim between the Regular Session and the extra session of the Fortieth Legislature would greatly facilitate the passage of the appropriation bill and make it possible to dispose of that matter promptly after the convening of the extra session.

The Legislature has been in extra session for a period of two weeks, but the appropriation bill has not yet reached the conference committee. The time of the session is rapidly passing and as speedy consideration of the bill as is possible and consistent with public good is important. The session cannot last longer than thirty days and all parties concerned would like, if possible, to avoid the necessity of more than a thirty-day session.

There are other matters which merit legislative attention and which the people of Texas expect to be considered. It is to be hoped that all of the time of this session will not be dissipated in the consideration of the appropriation bill, but that you will dispose of that promptly and find time to consider other matters which are worthy of your attention.

Some suggestions have been made that the subject of appropriation as submitted to you was in limited form, in that it covered only the subject of general appropriations for the support and maintenance of departments and institutions of the State government for the ensuing biennium, and did not cover emergency appropriations which demand immediate attention. Therefore, that limitation is removed and the subject enlarged to include emergency appropriations which are not included in the support and maintenance of departments and institutions for the ensuing biennium.

A great many of your members have asked that I submit special subjects for legislative consideration. I have felt that the best way to conserve time and encourage prompt action was by limiting the questions submitted until some progress had been made on the subjects first submitted. I have determined to

submit additional subjects, but hold in reserve other questions which I have been requested to submit until further progress has been made. Before entering the discussion of additional questions, I desire to say something with reference to those now before you.

I recognize the handicaps under which you labor in the endeavor to meet all of the requests made of you for the appropriation of public revenue. It is futile to attempt to meet all the requests because the money is not available. To wisely select between the essentials and non-essentials, and provide for the essentials is within your ability and power. The wisdom of the bill and the success of your efforts will be very largely judged by how well and how wisely you have separated the essentials from the non-essentials. I know that you have concern for the people of this State who pay the taxes that support the government, and I know that you realize that to many taxation is a burden. It is to be remembered by the Legislature and the Governor, that while on the one hand there stands the departments and institutions clamoring and asking for more money and larger appropriations, that on the other hand there stand the multiplied thousands of the tax paying public of this State who have the right to expect, and do expect, that they will not be taxed beyond that which is necessary to meet the needs of the government and adequately finance its departments and institutions; and who have a right to feel, and do feel, that on all public officers and all public employes rests the duty of fidelity and the obligation to exercise great care in preserving the substance of the people.

"It is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and no more revenue ought to be raised than is required to defray the necessary expenses of the government" is a principle of all respectable political parties, and is a good ideal for all public officers to get well into their systems.

The field of economy lies between the extremes of profligacy and waste on the one hand, and parsimony and niggardliness on the other. The appropriation measure should not fall in either extreme, but it should be characterized by sound practical economy, which is a virtue to be sought after in appropriation matters by all legislative assemblies. Considering the number of demands that are made upon you, and the seriousness with which they are urged,

it is likely that there is far less danger of parsimony than there is of the other extreme.

#### Classified Service.

In the original message, I urged the adoption of a classified civil service law providing for the selection of subordinate employes in the civil service of the State upon a merit basis. It has been vaguely intimated that the suggestion does not find accord with Democratic ideas and Democratic principles. The idea that it is not in thorough accord with Democratic ideas and Democratic principles cannot be sustained.

The Democratic party has never been the party of the spoilsman or a party of spoilsmen.

The principles of that party governing the selection of public officials are those announced by Mr. Jefferson when he declared capacity and honesty to be essential to fitness for public office. It was the sense of his statement that "these elements in the public offices were essential to an honest civil service, and that an honest civil service was necessary to the purity and efficiency of administration."

There is no better place to learn the principles of a party than from an examination of the platforms upon which it has gone before the people for the election of its candidates.

Prior to the general election of 1882 the people had demanded purity of administration, the party in control had reveled in profligacy. In the elections of that year the Democrats won a sweeping victory in the congressional elections, chiefly on issues of tariff and civil service reform. It was following that election that the civil service system as employed in the Federal government was reformed from mere competitive examinations to the classified civil service system as we understand it today.

But the question did not find its origin as a party principle as late as 1882. A brief reference to some of the platforms of the party, both State and National, will completely dissipate the intimation advanced.

In the platform of 1872 the Democratic party declared that it regarded a thorough reform of the civil service as one of the most pressing necessities of the hour and insisted that honesty, capacity and fidelity constitute the only valid claim to public employment; that the offices of the government cease to be a matter of arbitrary favoritism and patronage, and that public station become again a post of honor.



In 1876, the Democratic platform declared that "experience proves that efficient, economical conduct of the governmental business is not possible if its civil service be subject to change at every election, be a prize fought for at the ballot box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ; that the dispensing of patronage should neither be a tax upon the time of all our public men nor the instrument of their ambition."

In 1880, the Democratic party declared that "we execrate the course of this administration in making places in the civil service a reward for political crime, and demand a reform by statute which shall make it forever impossible for the defeated candidate to bribe his way to the seat of the usurper by billeting villains upon the people."

The Democratic platform in 1884, being the one upon which Grover Cleveland was elected President of the United States, declared, "we favor honest civil service reform and a compensation of all United States officers by fixed salaries; the separation of church and state, and the diffusion of free education by common schools, so that every child in the land may be taught the rights and duties of citizenship." This was a part of the platform upon which Grover Cleveland was elected President of the United States, and it remained for him to put in effect the classified service law adopted following the Democratic victory in 1884.

The Democratic platform of 1888 contained a plank on civil service reform, which read as follows: "Honest reform in the civil service has been inaugurated and maintained by President Cleveland, and he has brought the public service to the highest standard of efficiency, not only by rule and precept, but by the example of his own untiring and unselfish administration of public affairs."

The Democratic platform of 1892, upon which Cleveland was again elected President of the United States, carried the following plank: "Public office is a public trust. We reaffirm the declaration of the Democratic National Convention of 1876 for the reform of the civil service, and we call for the honest enforcement of all laws regulating the same. The nomination of a President, as in the recent Republican convention, by delegations composed largely of his appointees, holding office at his pleasure,

is a scandalous satire upon free popular institutions, and a startling illustration of the methods by which a President may gratify his ambition. We denounce a policy under which Federal officeholders usurp control of party conventions in the States, and we pledge the Democratic party to the reform of these and all other abuses which threaten individual liberty and local self-government."

The Democratic platform of 1904 declared that the party stood committed to the principles of civil service reforms and demanded their honest, just and impartial enforcement. It denounced the opposing party for its continuous and sinister encroachments upon the operation of civil service rules and its arbitrary dispensing with examinations for office in the interests of favorites and employing all manner of devices to overreach and set aside the principle upon which the civil service was established.

The last man elected President of the United States on the Democratic ticket was himself at one time a vice president of the Civil Service Reform League, but resigned after he became President and after he had written "that his interest and sympathy with the work had not been and could not be abated."

The Democratic platform upon which he was elected declared "the law pertaining to civil service should be honestly and rigidly enforced to the end that merit and ability should be the standard of appointment and promotion rather than service to a political party."

The platform of the Democratic party in Texas has not been silent upon this question.

"The Democratic platform of 1892 demanded that the 'offices of the government cease to be a matter of arbitration, favoritism, and patronage, and again be a post of honor.'"

The Democratic platforms of 1882 and 1902 contained planks more definitely in favor of the merit system, and that of 1912 specifically favored the merit system, recommending "that the Legislature enact such a law."

The Thirty-third, Thirty-fourth and Thirty-sixth Legislatures were each urged by executive messages to pass a law instituting the merit system to apply in the various departments of State government.

It is to be remembered that the man who asked the question, "what are we here for but the offices?" was not a



member of the Democratic party and his question was not asked in a convention of the Democratic party.

The State Democratic platform of 1912 provided "the merit system would enable the State to have its work done with fewer clerks and consequently with less expense. There would be no partisan service expected of those holding clerical positions under civil service regulations; neither the head of a department or institution keep an incompetent person through political influence. The public service would be greatly benefited by such a law."

Civil service reform today is supported upon its actual business value to the public "rather than upon any theoretical arguments of its value in destroying the spoils system," though it can be sustained as worth while in that it means the destruction of the spoils system and the doctrine that public office is public plunder.

Other States of the American Union have adopted the system and it has improved the efficiency in the administration of public affairs. Any existing indifference toward the adoption of the system in Texas will disappear "when the people of the State become aware of the conditions in Texas as compared with those in States where merit system has been given a fair trial." New York adopted the system as far back as 1883, and during the last twenty years eight States have followed the example of New York in this particular.

Many compelling reasons can be advanced why the system should be adopted in Texas, especially since the number of public employes has grown so large. A large body of public employes owing their position, and their tenure of office, to the pleasure of the appointive power makes possible a political machine, and a political machine is a menace to free institutions. The government should be ruled by the free and independent expression of the electorate, and it should not be influenced by an army of public employes, and neither should the lure of spoils of office be present to cause men to settle their position on questions of government upon selfish considerations. Is there anything more disgusting or beneath the dignity of position than a public officer in a free government taking the position that because he has secured some person a position as a filing clerk or a stenographer that such person owes the officer his vote? A vote is the

privilege and duty of citizenship, and citizenship is not to be bartered away for a job or a position. The subordinate positions are not won and lost at the polls. The policy determining officers should be responsive to the will of the people, and these should change with changing administrations. The civil service belongs to the people, and is intended for their benefit. It should not be embarrassed by politics nor made the plunder of the spoilsman.

From time to time the Legislature has been importuned, and unfortunately with success, to establish new offices and create new jobs for no conceivable usefulness except that they furnished an opportunity to someone to reward a political friend out of the public treasury. The demand for new offices and new positions has been so great, and the activities of the government have been extended so far, that the State is now supporting a veritable army of employes.

The legitimate increase in the activities of the government would normally create a demand for additional employes, but the system of appointment used in this State is one which encourages an extension of the activities of government beyond its legitimate fields in order that there may be occasion for the creation of new positions. This demand for additional employes and added activities of government contributes in no small degree to the modern tendency toward the centralization of governmental power in Austin. Many activities of government are carried on from Austin by subordinate employes of the various departments, which in times gone by would have been regarded as entirely out of keeping with the spirit of government existing in this country. Not all of the departure from the idea of local self-government, and not all of the tendency toward centralization, is to be charged to the spoils system, but it has contributed substantially in building up these tendencies. Inefficiency and expense have always been urged as reasons against centralization of power. It is easy to see this State the proof of the assertion that centralization means extravagance and resulting inefficiency. The most casual observer about the State departments must be impressed with the idea that the sort of efficiency shown by many public employes would not be tolerated in any private enterprise. The introduction of the merit system into

the selection of public employes would promote better efficiency and it would reduce the number of public offices necessary to meet the legitimate duties of government. When the merit system has been adopted in Texas the demands for new positions will be reduced in the proportion which our present system encourages public officers to ask for the creation of new positions.

Specific instances might be pointed out wherein the existing system in Texas is not subservient to the public good.

The elective public officer is forced to devote a lion's share of his time listening to the petitions of people for appointment or people to secure an appointment for some other person. And unfortunately, friends are not always faithful and considerate in the recommendations which they make, for frequently the same man will recommend not one, but several people for the same position, and all of them equally incompetent. A great many efficient and capable men and women make application for public employment, but a great many of those who apply have found themselves unsuccessful in the private ventures of life, and seek the snug security which they feel comes from a public office, insuring a fixed income. A great many seem to believe that public offices are suitable to contribute to charity, and the "down and out" who are in need of making a living are frequently the ones who are urged with greatest force upon the appointive power, without any regard for the ability or efficiency of the person whose appointment is sought.

The time has been in Texas when heads of departments levied assessments against their political employes to help defray campaign expenses. Such a practice is immoral and contrary to the best interests of good government. It rests upon the same moral plane as the purchase and sale of the powers of appointment.

Some people may regard patronage as a political asset, but it is doubtful if it can be justly considered as anything other than a liability in public office. For every position there are many applicants, and necessarily disappointments must be met. When a man is recommended by one officer for appointment in another department of the government, and he does not receive the appointment, he feels that the officer who recommends him did not use all of the pressure which he could have used, otherwise the appointment would have been received. The result is that he is

offended. If a public officer is importuned to recommend several people for the same office and he recommends only one, those not recommended are offended. If he recommends several he feels disgusted with himself, and he leaves the officer to whom he makes the recommendation in the position of believing that his recommendations are made more or less without regard for the efficiency of the persons recommended.

Fidelity and party loyalty are not, and should never be considered as qualifications to public office, but it is a pernicious and wicked doctrine which makes those two questions the sole test of qualification for public service. I believe as strong as any man in loyalty to friends, and I believe that as a general rule one may find capable and honest men among the ranks of his friends. But I hold in utter contempt the doctrine that public offices should be treated as public spoils to be used in the payment of personal obligations incurred as the result of political campaigns. To give an office as a reward without regard for efficiency or integrity is the grossest breach and default of a public trust.

Texas has seen many times the result of the spoils system. You have seen it for two years in the management of State affairs. Its evil consequences to the body of the people has been demonstrated time and time again in the administration of our prison affairs. The mismanagement of the penitentiary farms in Texas, the keeping of their books in such manner that expert accountants could not even ascertain the amount of the debt or the reason therefor upon one occasion; the loss of \$200,000 in the attempted operation of the iron foundry are credited by eminent authorities of this State to the lack of trained service and continuity of policy, or to put it in a briefer but harsher form, to the spoils system.

#### Highways.

The present highway laws of this State are found in the Revised Statutes of 1925, and the Acts of the Thirty-ninth Legislature. The bill passed by the Thirty-ninth Legislature seems to have been prepared without any careful thought being given to the work done by the codifiers. It is highly desirable that Texas be given a law that will better facilitate the construction of improved highways in this State. With 20,000 miles of designated highways involving tremendous cost of maintenance, it is

highly desirable that the roads be classified according to some standard of use in order that their improvement may be carried on in a manner best calculated to serve the public interests of this State. Better laws are needed with reference to the use and disposition of State, Federal and county funds and some adequate provision should be made to insure the assistance of the counties in the furtherance of a program to build a related system of public highways. There is no scientific thought in placing the power of purchase of equipment and materials used in highway work in the Board of Control when the Highway Department has a large number of technical employees who should be better fitted to pass upon these matters than the non-experts employed by the Board. Provision should be made to give the county which furnishes funds in the building of the highways a voice. This can be done without infringing upon the Federal rule governing the allotment of Federal aid, and it is but fair and just that the people whose money is spent should have some voice in the letting of the contract under which their money is to be used.

The Highway Department spends millions of dollars and employs scores of people. It is one of the most important departments of the State government. When the authority of the department is in the hands of honest and competent men people will not have cause to fear or reason to doubt, but should its affairs at some subsequent date come into the hands of incompetent men under existing laws the people would not have the proper protection. The history of 1925 might be repeated. If the expression of the people of Texas in the recent election can be taken for anything, it must be taken as a solemn mandate that every precaution possible be thrown around this department to protect them from extravagance, waste, and incompetency. And the people of Texas have a right to expect that as a result of the experiences in the past that constructive legislation will be offered to protect them at all times in the future.

#### Prison System.

At the Regular Session of the Fortieth Legislature a bill was passed providing for a change in the management of the State Prison System. The people of Texas recently adopted an amendment to the Constitution which provided for the change in the system of management which had been employed in the past.

It is reasonable to assume that the acquaintance which the people of Texas had with the losses suffered by the prison system, and the amount of their tax money that had been taken to meet its obligations, to some extent, influenced their action on the amendment. It is also a reasonable assumption that in adopting this amendment the people had in mind that provision would be made for the better management of the prison properties of this State.

The appropriations made at the last session of the Legislature to provide the necessary finances for the prison system are a strong argument for a change in the system of management.

The Legislature appropriated \$875,881.29 to pay debts of the prison system maturing prior to the first day of September, 1927. Another appropriation was made of \$733,268.74, together with all of the money then on hand by the prison system, to support and maintain the penitentiary until September 1, 1927. A third appropriation was for \$38,918.28 to pay accrued taxes against certain prison farms owned by the State of Texas. In addition to these items there was a debt of \$750,000, with interest in the sum of \$37,500, which matured on February 1, and was evidenced by certain obligations which were held by a New York concern. The total of these items is \$2,635,368.31. In other words, the general revenues of this State were made to bear an obligation of \$2,635,368.31 to pay debts incurred in the operation of the prison system, and to support that system until the end of this fiscal year. To the average mind these figures constitute conclusive evidence of the inefficiency of the system of management of the penitentiary properties employed in the past.

House bill No. 59, page 298, General Laws of the Regular Session of the Fortieth Legislature, changes the system of management of the prison properties to the extent that the Board of Prison Commissioners is abolished and the management of the properties placed in the hands of a manager, to be selected by the Texas Prison Board. The powers of the Texas Prison Board are few, and its duty is limited. There is nothing in the statute which gives the board an opportunity to bring to the benefit of the State the result of any study which it may make of our prison properties. No opportunity is afforded for the introduction of constructive ideas in the economic problems presented by our prison system. The board can select a



manager, and it can exercise some influence over his policies, but they are given a property which has proven costly in the past, and asked to manage it upon a self-supporting basis, without being given any character of power to place its properties in such condition as to reach the ultimate object to be attained, and that is a self-supporting penitentiary system.

The Prison Board should, by all means, be given plenary authority in the management of our prison properties. The board of nine members, after having had time to study the system, and locate the cause of loss in the past and determine wherein it has been inefficiently operated, should be able to formulate a constructive program looking to the betterment of this portion of the State's business. To my mind, it is infinitely better to entrust to this board full power in the management and handling of these properties than to give them only the limited power conferred by the bill passed at the last session of the Legislature. A board of outstanding ability can be trusted to study the problems, and can be expected to find a solution. A measure giving them this power and authority would be a progressive step, and ought to mean ultimately a saving to the people of Texas.

Personally, I am not advocating a relocation of the penitentiary, and neither do I undertake to say in what manner it would be reorganized, but I do advocate giving the board of directors of the Prison system the authority to dispose of these questions after they have had an opportunity to study them and determine upon a program.

In all of the major affairs of business when perplexing problems arise those are consulted whose judgment is founded on scientific thought given to such problems and their solution; and generally their advice is followed. If this is a good rule in major business methods, and it seems to have been adopted almost universally, no good reason can be urged against its application to business problems arising from the management of State-owned properties.

It is our duty to the State to bring to the solution of its prison questions the best thought and the best study available. The State should not be denied the benefits to be derived from a scientific study of its prison problems, and the application of modern thought to the solution of these questions. Nine members of a Prison board clothed with plenary power ought to be able to work out of the chaos into which prison mat-

ters have fallen a practical solution which would mean a self-supporting prison system, and a saving of the millions of dollars of tax money that have been drained from the Treasury into an enterprise that would have long since been forced to wash its garments in a bankrupt court, had it been owned and operated by private persons.

The offer of responsibility encourages capable people to accept public positions. The fact that the position carries power and responsibility encourages careful and scientific study of the work. The giving of plenary power to the board should make possible a board of outstanding ability, and Texas can well afford to trust this matter and its solution into the hands of nine of its best and most capable citizens.

#### Judicial Amendment.

The following subjects pertaining to judicial matters are submitted:

1. The enactment of a statute authorizing the Supreme Court, in conjunction with a committee of trial judges and lawyers, to prepare rules of procedure governing the trial of civil cases.

2. The enactment of a law changing our present system of fixed terms of court so that the several district courts of this State may be open for business in each county of the several districts at all times, making appropriate provisions for grand juries, the return of process and the filing of motions and records for appeal; any local measures affecting the present terms of court.

3. Legislation to provide that in all criminal cases the accused or his counsel shall in thirty days after the judgment of conviction or the order overruling motion for new trial present to the trial judge for his approval and file with the clerk of the trial court an original and copy of the defendant's statement of the matters and things complained of as error and upon which the appeal is based, to be approved by the trial court and transmitted to the Court of Criminal Appeals, to the end that the disposition of cases on appeal may be facilitated and justice more speedily administered.

4. The enactment of a law making severance in the trial of criminal cases a matter resting in the discretion of the court.

5. The enactment of a law to give greater protection to the State in the acceptance of appearance bonds.

6. The amendment of Articles 61, 62, 63 and 64 of the Penal Code of 1925,



to make a more workable statute and one which in principle will conform more nearly with the laws of this character which have proved beneficial in the suppression of crime in other jurisdictions.

Respectfully submitted,

DAN MOODY,  
Governor of Texas.

#### SENATE RETIRES.

On motion of Senator Pollard, the Senate retired to its Chamber.

#### RECESS.

Mr. Alexander moved that the House recess to 1:30 o'clock p. m. today.

Mr. Smith of El Paso moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Smith of El Paso prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 14, to the Committee on Criminal Jurisprudence.

Senate bill No. 16, to the Committee on Appropriations.

Senate bill No. 4, to the Committee on Appropriations.

#### COMMUNICATION FROM SECRETARY OF GIRLS' TRAINING SCHOOL.

The following communication was ordered printed in the Journal:

Gainesville, Texas, May 20, 1927.

Mr. E. L. Whitaker, Representative of District 119, Austin, Texas.

Dear Mr. Whitaker: I take pleasure in giving you the information you ask about our school.

We have in the school at present one hundred and sixty-six girls. I will give you the names of the counties from which they came, and the number from each. Now when I say Dallas, I mean the city of Dallas, and when I say Tarrant I mean Fort Worth. The reason we don't get more girls from the rural districts, I think, is because we have no probation officers in these places. We get very, very few girls that have

ever lived in the country. The present list is as follows:

Dallas	49
Tarrant	32
Bexar	8
Harris	11
Travis	6
Cooke	4
McLennan	5
Cameron	5
Potter	5
Van Zandt	4
Grayson	7
Jefferson	1
Taylor	3
Stephens	1
Dickens	2
Ellis	1
Eastland	3
Bell	2
Sabine	1
Bowie	2
Anderson	1
Galveston	1
Smith	2
Brazoria	1
Johnson	3
Scurry	1
Wichita	1
Lamar	1
Donley	1
Hill	1

Total ..... 166

A word of explanation as to why we haven't more girls from Bexar and Harris counties. Both of these counties have county schools for delinquent girls and they only send us their extreme cases.

The girls who are committed to the school are most, in fact, practically all we get are moral delinquents, caused by neglect of the parents in nearly all cases, broken up homes, and desertion of the children.

The ages of the girls vary from ten to eighteen years. At present we have nine little girls ten years of age. Most of them, though, are from fifteen to seventeen.

As to the number of girls who make good citizens after they leave the school, I will give you the actual figures, beginning with January, 1926, and taking up to January, 1927. There were at the beginning of 1926 forty-eight girls on parole; during the year we paroled fifty-nine, making a total of one hundred and seven. Out of that number there were only nineteen who broke parole, or violated the rules governing parole, and had to be brought back.

There were several had to be replaced, that is, new work found for them. A few married, and I think about eight released by the court. I know that I can safely say that seventy per cent of the girls after they leave the school lead honest and respectable lives.

I certainly hope that the Legislature will see fit to give us appropriation sufficient to carry on this work as it should be.

The equipment for the training of these poor unfortunate girls, as beauty culturist, would, I believe, solve the problems, for many of them are not mentally capable of taking business courses, could do that type of work well. And we all know that to-day—that it is a very profitable business. My idea is to secure for these girls who take this work positions in shops where only ladies' work is done, never in barber shops.

Thanking you for any consideration that you have shown us. I only hope that when you have given us the appropriations that you do, that we can show good results for it all.

Again thanking you personally for your interest.

MRS. AGNES STEPHENS.

#### HOUSE BILL NO. 2 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 2, making appropriations for the various State departments, on its passage to engrossment, with amendment by Mr. Alexander to the section of the bill relating to the State Highway Department pending.

Mr. Shirley offered the following substitute for the amendment:

Amend House bill No. 2, page 30, line 40, by inserting in lieu of the figures "\$10,000" wherever they appear the figures "\$7000."

Mr. Johnson of Dimmit moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—74.

Mr. Speaker.	Bonham.
Acker.	Branch.
Alexander.	Brice.
Anderson.	Brown.
Barron.	Cornwell.
Bass.	Cox.
Bateman.	Daniel.
Beck.	DeBerry.
Bird.	Dielmann.

Duvall.	Purl.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Hagaman.	Rowell.
Hall.	Runge.
Harman.	Satterwhite.
High.	Shearer.
Hogg.	Sheats.
Holland.	Sinks.
Hornaday.	Smith of El Paso.
Jacks.	Smith of Nueces.
Johnson	Smith of Smith.
of Anderson.	Smyth.
Johnson	Stell.
of Dimmit.	Stevenson.
Jones.	Swain.
Justice.	Taylor.
Kayton.	Teer.
Keeton.	Tillotson.
Kemble.	Van Zandt.
King of Hopkins.	Waddell.
Kinnear.	Wallace of Panola.
Lewis.	Ware.
Lipscomb.	Wells.
McGill.	Whitaker.
McKean.	Williams
Minor.	of Sabine.
Morse.	Williams
Murphy.	of Travis.
Nicholson.	Williamson.
Pool.	Woodall.
Porter.	Young.
Powell.	

Nays—33.

Albritton.	Merritt.
Avis.	Pavlica.
Black.	Pearce.
Boggs.	Poage.
Boon.	Pope.
Davis.	Sanders.
Enderby.	Shirley.
Farrar.	Simmons.
Faulk.	Snelgrove.
Finlay.	Storey.
Gates.	Stout.
Gray.	Veatch.
Kennedy.	Walker.
Kincaid.	Wallace of Smith.
Kirkland.	Webb.
Land.	Woodruff.
Loftin.	

Absent.

Dunlap.	Montgomery.
Eickenroht.	Parrish of Travis.
Foster.	Petsch.
Graves.	Renfro
Hefley.	of Angelina.
Holder.	Shaver.
Long.	Wallace
McCombs.	of Freestone.

Absent—Excused.

Barnett.	Conway.
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Cummings.	Moursund.
Denman.	Nabors.
Fuchs.	Olsen.
Gibson.	Parish of Runnels.
Harding.	Rawlins.
Kenyon.	Reagan.
King of	Smith of Atascosa.
Throckmorton.	Sutton.
Kirby.	Turner.
Loy.	Wassell.
Masterson.	

Mr. Johnson of Dimmit moved to table the amendment by Mr. Alexander.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—49.

Mr. Speaker.	Minor.
Anderson.	Morse.
Barron.	Murphy.
Beck.	Nicholson.
Cornwell.	Parrish of Travis.
Cox.	Pool.
Duvall.	Porter.
Finlay.	Powell.
Fly.	Purl.
Forbes.	Rowell.
Gilbert.	Satterwhite.
Hagaman.	Shearer.
Hogg.	Sinks.
Holland.	Smith of El Paso.
Hornaday.	Smith of Smith.
Jacks.	Smyth.
Johnson	Stevenson.
of Anderson.	Taylor.
Johnson	Teer.
of Dimmit.	Tillotson.
Keeton.	Van Zandt.
Kemble.	Waddell.
Lewis.	Wallace of Panola.
Lipscomb.	Wells.
McKean.	Young.

## Nays—67.

Acker.	Faulk.
Avis.	Gates.
Albritton.	Gray.
Alexander.	Hall.
Bass.	Harman.
Bateman.	High.
Black.	Jones.
Boggs.	Justice.
Bonham.	Kayton.
Boon.	Kennedy.
Branch.	Kincaid.
Brice.	King of Hopkins.
Brown.	Kirkland.
Daniel.	Land.
Davis.	Loftin.
DeBerry.	McGill.
Dielmann.	Merritt.
Enderby.	Pavlica.
Eickenroht.	Pearce.
Farrar.	Poage.

Pope.	Swain.
Renfro	Veatch.
of Angelina.	Walker.
Renfro of Mills.	Wallace of Smith.
Rogers of Hays.	Ware.
Rogers of Shelby.	Webb.
Sanders.	Whitaker.
Sheats.	Williams
Shirley.	of Sabine.
Simmons.	Williams
Smith of Nueces.	of Travis.
Snelgrove.	Williamson.
Stell.	Woodall.
Stout.	Woodruff.

## Absent.

Bird.	Montgomery.
Dunlap.	Petsch.
Graves.	Runge.
Hefley.	Shaver.
Holder.	Storey.
Long.	Wallace
McCombs.	of Freestone.

## Absent—Excused.

Barnett.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Foster.	Olsen.
Fuchs.	Parish of Runnels.
Gibson.	Rawlins.
Harding.	Reagan.
Kenyon.	Smith of Atascosa.
King of	Sutton.
Throckmorton.	Turner.
Kinnear.	Wassell.
Kirby.	

Mr. DeBerry moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—68.

Acker.	Enderby.
Albritton.	Eickenroht.
Alexander.	Farrar.
Avis.	Faulk.
Bass.	Finlay.
Black.	Gates.
Boggs.	Gray.
Bonham.	Harman.
Boon.	High.
Branch.	Holland.
Brice.	Jones.
Brown.	Justice.
Cornwell.	Keeton.
Daniel.	Kennedy.
Davis.	Kincaid.
DeBerry.	King of Hopkins.
Dielmann.	Kirkland.
Dunlap.	Land.

Loftin.	Stell.
McGill.	Storey.
Merritt.	Stout.
Pavlica.	Swain.
Pearce.	Veatch.
Poage.	Walker.
Pope.	Wallace
Porter.	of Freestone.
Purl.	Ware.
Renfro	Webb.
of Angelina.	Whitaker.
Rogers of Hays.	Williams
Rogers of Shelby.	of Sabine.
Sanders.	Williams
Sheats.	of Travis.
Shirley.	Williamson.
Simmons.	Woodall.
Smith of Atascosa.	Woodruff.
Snelgrove.	

Nays—41.

Anderson.	Murphy.
Barron.	Nicholson.
Beck.	Parrish of Travis.
Cox.	Pool.
Duvall.	Powell.
Fly.	Rowell.
Forbes.	Satterwhite.
Hogg.	Shearer.
Hornaday.	Sinks.
Jacks.	Smith of El Paso.
Johnson	Smith of Smith.
of Dimmit.	Smyth.
Johnson	Stevenson.
of Anderson.	Taylor.
Kayton.	Teer.
Kemble.	Tillotson.
Lewis.	Van Zandt.
Lipscomb.	Waddell.
McCombs.	Wallace of Panola.
McKean.	Wells.
Minor.	Young.
Morse.	

Absent.

Bateman.	Long.
Bird.	Montgomery.
Gilbert.	Petsch.
Graves.	Renfro of Mills.
Hagaman.	Runge.
Hall.	Shaver.
Hefley.	Wallace of Smith.
Holder.	

Absent—Excused.

Barnett.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Foster.	Olsen.
Fuchs.	Parish of Runnels.
Gibson.	Rawlins.
Harding.	Reagan.
Kenyon.	Smith of Nueces.
King of	Sutton.
Throckmorton.	Turner.
Kinnear.	Wassell.
Kirby.	

Mr. Veatch moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Purl offered the following amendment to this section of the bill:

Amend House bill No. 2, line 25, page 32, by striking out the figures "\$3000" in both columns and insert in lieu thereof the figures "\$2000" in each column.

On motion of Mr. Teer, the amendment was tabled.

Mr. Daniel offered the following amendment to this section of the bill:

Amend House bill No. 2, page 31, line 15, by striking out "\$18,000" in each column and substituting therefor "\$10,000" in each column.

Mr. Cox moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Anderson.	Minor.
Barron.	Montgomery.
Beck.	Murphy.
Brown.	Nicholson.
Cox.	Parrish of Travis.
Dielmann.	Poage.
Dunlap.	Pool.
Duvall.	Pope.
Fly.	Porter.
Forbes.	Powell.
Foster.	Renfro of Mills.
Gilbert.	Rogers of Shelby.
Graves.	Runge.
Hagaman.	Satterwhite.
Hall.	Shearer.
Harman.	Sinks.
Hogg.	Smith of El Paso.
Holder.	Smith of Smith.
Holland.	Stevenson.
Hornaday.	Taylor.
Jacks.	Teer.
Johnson	Tillotson.
of Anderson.	Waddell.
Johnson	Wallace of Panola.
of Dimmit.	Wells.
Justice.	Williams
Keeton.	of Travis.
Kemble.	Williamson.
Kincaid.	Woodruff.
Lewis.	Young.
Lipscomb.	

Nays—56.

Acker.	Boggs.
Albritton.	Bonham.
Alexander.	Boon.
Avis.	Branch.
Bass.	Brice.
Bateman.	Cornwell.
Black.	Daniel.



Davis.	Rogers of Hays.
Enderby.	Sanders.
Eickenroht.	Sheats.
Farrar.	Shirley.
Faulk.	Smith of Nueces.
Finlay.	Smyth.
Gates.	Snelgrove.
Gray.	Stell.
Kayton.	Storey.
Kennedy.	Stout.
King of Hopkins.	Swain.
Kirkland.	Van Zandt.
Land.	Veatch.
Loftin.	Walker.
McCombs.	Wallace of Smith.
McGill.	Ware.
McKean.	Webb.
Merritt.	Whitaker.
Pavlica.	Williams
Pearce.	of Sabine.
Purl.	Woodall.

Present—Not Voting.

High.	Jones.
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Absent.

Bird.	Renfro
DeBerry.	of Angelina.
Hefley.	Rowell.
Long.	Shaver.
Morse.	Simmons.
Petsch.	Wallace
	of Freestone.

Absent—Excused.

Barnett.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Fuchs.	Olsen.
Gibson.	Parish of Runnels.
Harding.	Rawlins.
Kenyon.	Reagan.
King of	Smith of Atascosa.
Throckmorton.	Sutton.
Kinnear.	Turner.
Kirby.	Wassell.

Mr. Poage offered the following amendment to this section of the bill:

Amend House bill No. 2, page 31, line 5, by striking out the figures "\$5400" in the first column and inserting in lieu thereof the figures "\$5000"; also the figures "\$5400" in the second column and inserting in lieu thereof the figures "\$5000," and correct the totals accordingly.

On motion of Mr. Swain, the amendment was tabled.

Mr. Finlay offered the following amendment to this section of the bill:

Amend House bill No. 2, page 32, by striking out the entire line 26.

Mr. Cox moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—62.

Alexander.	Parrish of Travis.
Anderson.	Pearce.
Barron.	Poage.
Bateman.	Pool.
Beck.	Porter.
Cornwell.	Powell.
Cox.	Renfro of Mills.
Dielmann.	Rogers of Shelby.
Duvall.	Rowell.
Forbes.	Runge.
Foster.	Satterwhite.
Gilbert.	Shearer.
Graves.	Sheats.
Hagaman.	Shirley.
Hall.	Sinks.
Harman.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Stevenson.
Jacks.	Swain.
Johnson	Taylor.
of Dimmit.	Teer.
Jones.	Tillotson.
Keeton.	Van Zandt.
Kemble.	Wallace of Panola.
Lewis.	Ware.
Lipscomb.	Wells.
Minor.	Williams of Sabine.
Montgomery.	Williams of Travis.
Morse.	Williamson.
Murphy.	Woodruff.
Nicholson.	Young.

Nays—49.

Acker.	Kirkland.
Albritton.	Land.
Avis.	Loftin.
Bass.	McCombs.
Black.	McKean.
Boggs.	Merritt.
Bonham.	Pavlica.
Boon.	Pope.
Brice.	Purl.
Daniel.	Renfro
Davis.	of Angelina.
Dunlap.	Rogers of Hays.
Enderby.	Sanders.
Eickenroht.	Simmons.
Farrar.	Smyth.
Faulk.	Snelgrove.
Finlay.	Stell.
Fly.	Storey.
Gray.	Stout.
High.	Veatch.
Johnson	Walker.
of Anderson.	Wallace of Smith.
Justice.	Webb.
Kennedy.	Whitaker.
Kincaid.	Woodall.
King of Hopkins.	

## Absent.

Bird.	Long.
Branch.	McGill.
Brown.	Petsch.
DeBerry.	Shaver.
Gates.	Waddell.
Hefley.	Wallace
Holder.	of Freestone.

## Absent—Excused.

Barnett.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Fuchs.	Olsen.
Gibson.	Parish of Runnels.
Harding.	Rawlins.
Kayton.	Reagan.
Kenyon.	Smith of Atascosa.
King of	Sutton.
Throckmorton.	Turner.
Kinnear.	Wassell.
Kirby.	

Mr. Boggs offered the following amendment to this section of the bill:

Amend House bill No. 2, page 32, line 14, by striking out the figures "\$20,000" in the first column and inserting in lieu thereof the figures "\$17,500"; also the figures "\$20,000" in the second column and inserting in lieu thereof the figures "\$17,500," and correct the totals accordingly.

Mr. Morse moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—55.

Anderson.	Lipscomb.
Barron.	McCombs.
Cornwell.	McGill.
Dielmann.	McKean.
Dunlap.	Minor.
Duvall.	Montgomery.
Fly.	Morse.
Forbes.	Murphy.
Foster.	Nicholson.
Gilbert.	Parrish of Travis.
Hagaman.	Pool.
Hall.	Porter.
Hogg.	Powell.
Holland.	Purl.
Hornaday.	Rowell.
Jacks.	Runge.
Johnson	Satterwhite.
of Anderson.	Shearer.
Johnson	Sinks.
of Dimmit.	Smith of El Paso.
Kayton.	Smith of Nueces.
Kemble.	Stevenson.
Kincaid.	Taylor.
Lewis.	Teer.

Tillotson.	Williams
Van Zandt.	of Travis.
Waddell.	Williamson.
Wallace of Panola.	Woodruff.
Webb.	Young.
Wells.	

## Nays—51.

Acker.	Loftin.
Albritton.	Merritt.
Alexander.	Pavlica.
Avis.	Pearce.
Bass.	Poage.
Black.	Pope.
Boggs.	Renfro
Bonham.	of Angelina.
Branch.	Renfro of Mills.
Brice.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Sanders.
Enderby.	Sheats.
Eickenroht.	Simmons.
Faulk.	Smyth.
Finlay.	Snelgrove.
Graves.	Stell.
Gray.	Storey.
Harman.	Stout.
High.	Swain.
Jones.	Veatch.
Justice.	Walker.
Keeton.	Ware.
Kennedy.	Whitaker.
King of Hopkins.	Williams
Kirkland.	of Sabine.
Land.	Woodall.

## Present—Not Voting.

Boon.	Wallace
	of Freestone.

## Absent.

Bateman.	Hefley.
Beck.	Holder.
Bird.	Long.
Brown.	Petsch.
Cox.	Shaver.
DeBerry.	Shirley.
Farrar.	Smith of Smith.
Gates.	Wallace of Smith.

## Absent—Excused.

Barnett.	Loy.
Conway.	Masterson.
Cummings.	Moursund.
Denman.	Nabors.
Fuchs.	Olsen.
Gibson.	Parish of Runnels.
Harding.	Rawlins.
Kenyon.	Reagan.
King of	Smith of Atascosa.
Throckmorton.	Sutton.
Kinnear.	Turner.
Kirby.	Wassell.

Mr. Poage offered the following amendment to this section of the bill:

Amend House bill No. 2, page 34, line 16, by striking out the figures "\$71,400" in each column and inserting in lieu thereof the figures "\$61,200" in each column, and changing totals accordingly.

Mr. Barron moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—47.

Anderson.	Parrish of Travis.
Barron.	Pool.
Beck.	Porter.
Cox.	Powell.
Dielmann.	Purl.
Dunlap.	Renfro of Mills.
Duvall.	Rogers of Shelby.
Fly.	Satterwhite.
Forbes.	Shearer.
Gilbert.	Simmons.
Hogg.	Sinks.
Holder.	Smith of El Paso.
Holland.	Stevenson.
Hornaday.	Swain.
Jacks.	Taylor.
Johnson	Teer.
of Dimmit.	Tillotson.
Kemble.	Waddell.
Lewis.	Wallace of Panola.
Lipscomb.	Wells.
Minor.	Williams
Montgomery.	of Travis.
Morse.	Williamson.
Murphy.	Woodruff.
Nicholson.	

## Nays—66.

Albritton.	Jones.
Alexander.	Justice.
Avis.	Kayton.
Bass.	Kennedy.
Bateman.	Kincaid.
Black.	King of Hopkins.
Boggs.	Kirkland.
Bonham.	Land.
Boon.	Loftin.
Branch.	Long.
Brice.	McCombs.
Brown.	McGill.
Cornwell.	McKean.
Daniel.	Merritt.
Davis.	Pavlica.
Enderby.	Pearce.
Eickenroht.	Poage.
Farrar.	Pope.
Faulk.	Renfro
Finlay.	of Angelina.
Gibson.	Rogers of Hays.
Graves.	Rowell.
Gray.	Sanders.
Hagaman.	Sheats.
Hall.	Shirley.
Harman.	Smyth.
High.	Snelgrove.

Stell.	Ware.
Storey.	Webb.
Stout.	Whitaker.
Van Zandt.	Williams
Veatch.	of Sabine.
Walker.	Woodall.
Wallace of Smith.	Young.

## Absent.

Acker.	Keeton.
Bird.	Petsch.
DeBerry.	Runge.
Foster.	Shaver.
Gates.	Smith of Nueces.
Hefley.	Smith of Smith.
Johnson	Wallace
of Anderson.	of Freestone.

## Absent—Excused.

Barnett.	Masterson.
Conway.	Moursund.
Cummings.	Nabors.
Denman.	Olsen.
Fuchs.	Parish of Runnels.
Harding.	Rawlins.
Kenyon.	Reagan.
King of	Smith of Atascosa.
Throckmorton.	Sutton.
Kirby.	Turner.
Kinnear.	Wassell.
Loy.	

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—65.

Acker.	High.
Albritton.	Jones.
Alexander.	Kennedy.
Avis.	Kincaid.
Bass.	King of Hopkins.
Bateman.	Kirkland.
Black.	Land.
Boggs.	Loftin.
Bonham.	Long.
Boon.	McGill.
Branch.	McKean.
Brice.	Merritt.
Brown.	Pavlica.
Cornwell.	Pearce.
Daniel.	Poage.
Davis.	Pope.
Dielmann.	Renfro
Enderby.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rowell.
Finlay.	Sanders.
Graves.	Sheats.
Gray.	Shirley.
Hagaman.	Simmons.
Hall.	Smyth.
Harman.	Snelgrove.

Stell.  
Storey.  
Stout.  
Taylor.  
Van Zandt.  
Veatch.  
Walker.

Ware.  
Webb.  
Whitaker.  
Williams  
of Sabine.  
Woodall.  
Young.

Nays—43.

Anderson.  
Barron.  
Beck.  
Cox.  
Duvall.  
Fly.  
Forbes.  
Foster.  
Gilbert.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.  
Johnson  
of Dimmit.  
Kayton.  
Kemble.  
Lewis.  
Lipscomb.  
McCombs.  
Minor.  
Montgomery.

Morse.  
Murphy.  
Nicholson.  
Parrish of Travis.  
Pool.  
Porter.  
Powell.  
Purl.  
Rogers of Shelby.  
Satterwhite.  
Shearer.  
Sinks.  
Smith of El Paso.  
Stevenson.  
Teer.  
Tillotson.  
Wallace of Panola.  
Wells.  
Williams  
of Travis.  
Williamson.  
Woodruff.

Absent.

Bird.  
DeBerry.  
Dunlap.  
Gates.  
Hefley.  
Johnson  
of Anderson.  
Justice.  
Keeton.  
Petsch.

Runge.  
Shaver.  
Smith of Nueces.  
Smith of Smith.  
Swain.  
Waddell.  
Wallace  
of Freestone.  
Wallace of Smith.

Absent—Excused.

Barnett.  
Conway.  
Cummings.  
Denman.  
Fuchs.  
Gibson.  
Harding.  
Kenyon.  
King of  
Throckmorton.  
Kinnear.  
Kirby.

Loy.  
Masterson.  
Moursund.  
Nabors.  
Olsen.  
Parish of Runnels.  
Rawlins.  
Reagan.  
Smith of Atascosa.  
Sutton.  
Turner.  
Wassell.

Mr. Poage moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Bonham offered the following amendment to this section of the bill:

Amend House bill No. 2, page 34, line

17, by striking out the figures "\$20,000" in both columns and inserting "\$15,000" in both columns.

(Mr. Montgomery in the chair.)

Mr. Holder moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—54.

Anderson.  
Barron.  
Beck.  
Cox.  
DeBerry.  
Dielmann.  
Duvall.  
Fly.  
Forbes.  
Foster.  
Gilbert.  
Hall.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.  
Johnson  
of Dimmit.  
Jones.  
Kayton.  
Kemble.  
King of Hopkins.  
Lewis.  
Lipscomb.  
McCombs.  
Minor.  
Montgomery.  
Morse.

Murphy.  
Parrish of Travis.  
Pool.  
Porter.  
Powell.  
Purl.  
Renfro of Mills.  
Rogers of Shelby.  
Rowell.  
Satterwhite.  
Shearer.  
Sinks.  
Smith of Atascosa.  
Smith of El Paso.  
Stevenson.  
Swain.  
Teer.  
Tillotson.  
Van Zandt.  
Waddell.  
Wallace  
of Freestone.  
Wallace of Smith.  
Wells.  
Williams  
of Travis.  
Williamson.  
Woodruff.

Nays—53.

Albritton.  
Alexander.  
Avis.  
Bateman.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.  
Cornwell.  
Daniel.  
Davis.  
Enderby.  
Eickenroht.  
Faulk.  
Finlay.  
Gibson.  
Graves.  
High.  
Johnson  
of Anderson.  
Justice.  
Kennedy.  
Kincaid.

Kirkland.  
Land.  
Loftin.  
Long.  
McGill.  
Merritt.  
Pavlica.  
Pearce.  
Poage.  
Pope.  
Renfro  
of Angelina.  
Rogers of Hays.  
Sanders.  
Sheats.  
Shirley.  
Simmons.  
Smith of Nueces.  
Snelgrove.  
Stell.  
Storey.  
Stout.  
Taylor.  
Veatch.  
Walker.



Ware.  
Webb.  
Whitaker.

Williams  
of Sabine.  
Woodall.

Present—Not Voting.

Farrar.

Hagaman.

Absent.

Acker.  
Bass.  
Bird.  
Brown.  
Dunlap.  
Gates.  
Gray.  
Harman.  
Hefley.

Keeton.  
McKean.  
Nicholson.  
Petsch.  
Runge.  
Shaver.  
Smyth.  
Wallace of Panola.  
Young.

Absent—Excused.

Barnet.  
Conway.  
Cummings.  
Denman.  
Fuchs.  
Harding.  
Kenyon.  
King of  
Throckmorton.  
Kinnear.  
Kirby.  
Loy.

Masterson.  
Moursund.  
Nabors.  
Olsen.  
Parish of Runnels.  
Rawlins.  
Reagan.  
Smith of Smith.  
Sutton.  
Turner.  
Wassell.

Mr. Bonham offered the following amendment to this section of the bill:

Amend House bill No. 2, page 34, line 18, by changing "25,000" in each column to "15,000" in each column.

Mr. Teer moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—56.

Mr. Speaker.  
Anderson.  
Barron.  
Bateman.  
Beck.  
Cornwell.  
Cox.  
DeBerry.  
Dielmann.  
Duvall.  
Fly.  
Forbes.  
Foster.  
Gilbert.  
Hagaman.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.

Johnson  
of Dimmit.  
Jones.  
Kemble.  
King of Hopkins.  
Lewis.  
Lipscomb.  
McCombs.  
McKean.  
Minor.  
Montgomery.  
Morse.  
Murphy.  
Parrish of Travis.  
Pool.  
Porter.  
Powell.  
Purl.  
Rogers of Shelby.  
Rowell.

Satterwhite.  
Shearer.  
Sinks.  
Smith of El Paso.  
Snelgrove.  
Teer.  
Tillotson.  
Van Zandt.  
Waddell.

Wallace  
of Freestone.  
Wallace of Panola.  
Wells.  
Williams  
of Sabine.  
Williams  
of Travis.  
Williamson.  
Young.

Nays—51.

Albritton.  
Alexander.  
Avis.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.  
Daniel.  
Enderby.  
Eickenroht.  
Farrar.  
Faulk.  
Finlay.  
Gibson.  
Graves.  
Hall.  
High.  
Johnson  
of Anderson.  
Justice.  
Kennedy.  
Kincaid.  
Kirkland.  
Land.  
Loftin.

Long.  
McGill.  
Merritt.  
Pavlica.  
Pearce.  
Poage.  
Pope.  
Rogers of Hays.  
Sanders.  
Sheats.  
Shirley.  
Simmons.  
Smith of Nueces.  
Smyth.  
Stell.  
Stevenson.  
Stout.  
Taylor.  
Veatch.  
Walker.  
Wallace of Smith.  
Ware.  
Webb.  
Whitaker.  
Woodall.  
Woodruff.

Absent.

Acker.  
Bass.  
Bird.  
Brown.  
Davis.  
Dunlap.  
Gates.  
Gray.  
Harman.  
Hefley.  
Kayton.

Keeton.  
Nicholson.  
Petsch.  
Renfro  
of Angelina.  
Renfro of Mills.  
Runge.  
Shaver.  
Smith of Smith.  
Storey.  
Swain.

Absent—Excused.

Barnett.  
Conway.  
Cummings.  
Denman.  
Fuchs.  
Harding.  
Kenyon.  
King of  
Throckmorton.  
Kinnear.  
Kirby.  
Loy.

Masterson.  
Moursund.  
Nabors.  
Olsen.  
Parish of Runnels.  
Rawlins.  
Reagan.  
Smith of Atascosa.  
Sutton.  
Turner.  
Wassell.

(Speaker in the chair.)

Mr. Purl offered the following amendment to the section of the bill relating to the Industrial Accident Board:

Amend House bill No. 2, page 36, by inserting between lines 27 and 28 the following: "All money, checks, money orders, bank drafts, etc., received by the Commissioner of Insurance from those engaged in the insurance business or those seeking to engage in insurance in this State shall be turned over to the State Treasurer daily and shall not be deposited in any bank to the credit of any individual or department or department head."

Mr. Van Zandt raised a point of order on consideration of the amendment on the ground that it seeks to change an existing statute by an appropriation bill.

The Speaker overruled the point of order.

Question then recurring on the amendment, it was adopted.

Mr. Teer offered the following amendment to this section of the bill:

Amend House bill No. 2, page 37, line 6, by striking out the figures "960" in each year and insert in lieu thereof the figures "\$720" in each year.

On motion of Mr. Bonham, the amendment was tabled.

Mr. Teer offered the following amendments to the section of the bill relating to the Texas Library and Historical Commission:

Amend House bill No. 2, page 37, line 21, by striking out the figures "\$1200" in each year and insert in lieu thereof the figures "\$1000" in each year.

Amend House bill No. 2, page 37, line 24, by striking out the figures "\$1500" in each year and insert in lieu thereof the figures "\$1000" in each year.

Amend House bill No. 2, page 37, line 28, by striking out the figures "\$2250" in each year and insert in lieu thereof the figures "\$2000" in each year.

The amendments were severally adopted.

Mr. Teer offered the following amendments to the section of the bill relating to the Live Stock Sanitary Commission:

Amend House bill No. 2, page 38, line 35, by striking out the figures "\$15,000" in each year and insert in lieu thereof the figures "\$10,000" in each year.

Amend House bill No. 2, page 38, line 37, by striking out the figures "\$2000" in each year and insert in lieu thereof the figures "\$1500" in each year.

Amend House bill No. 2, page 38, line 39, by striking out the figures "\$5500"

in each year and insert in lieu thereof the figures "\$5000" in each year.

Amend House bill No. 2, page 38, line 40, by striking out the figures "\$3000" in each year and insert in lieu thereof the figures "\$2500" in each year.

The amendments were severally adopted.

Mr. Teer offered the following amendment to this section of the bill:

Amend House bill No. 2, page 39, line 12, by striking out the figures "\$15,000" in each year and insert in lieu thereof the figures "\$10,000" in each year.

Mr. Kincaid offered the following substitute for the amendment:

Amend House bill No. 2, page 39, by striking out lines 4 to 12, inclusive.

Mr. Johnson of Dimmit moved to table the substitute amendment.

### HOUSE BILL NO. 3 WITH SENATE AMENDMENTS.

Mr. Teer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes and the maintenance of certain eleemosynary institutions for the two fiscal years beginning September 1, 1927, and September 1, 1928, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Teer moved that the House do not concur in the Senate amendments, and that a Free Conference Committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

H. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes and the maintenance of certain eleemosynary institutions for the two fiscal years beginning September 1, 1927, and September 1, 1928, and declaring an emergency," with amendment.

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

H. C. R. No. 2, Expressing apprecia-  
tion to Mr. Disch for his co-operation in  
behalf of the baseball game between the  
House and Senate.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

RESOLUTION SIGNED BY THE  
SPEAKER.

The Speaker signed, in the presence of  
the House, after giving due notice there-  
of, and its caption had been read, the  
following enrolled resolution:

H. C. R. No. 3, Inviting Governor  
Moody to address joint session of House  
and Senate.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced  
today, were laid before the House, read  
severally first time, and referred to the  
appropriate committees as follows:

By Mr. Teer:

H. B. No. 12, A bill to be entitled  
"An Act making appropriations to pay  
the salaries of officers and employes of  
certain educational institutions and  
other expenses of maintaining and con-  
ducting the same, and declaring an  
emergency."

Referred to Committee on Appropria-  
tions.

By Mr. Satterwhite:

H. B. No. 20, A bill to be entitled  
"An Act authorizing the sale of real  
estate belonging to the State prison sys-  
tem, and the making of oil and mineral  
leases thereon, and prescribing regula-  
tions, restrictions and directions relat-  
ing thereto; authorizing executory con-  
tracts for the purchase of and to pur-  
chase necessary real estate or other fixed  
property and appurtenances belonging  
thereto for use of the prison system,  
and prescribing regulations, restrictions  
and directions relating thereto and re-  
lating to payment for such property,  
and declaring an emergency."

Referred to Committee on Peniten-  
tiaries.

By Mr. Tillotson:

H. B. No. 21, A bill to be entitled

"An Act to provide authority to the  
State Highway Commission to select and  
maintain temporary detour roads  
through counties where construction of  
designated parts of the State highway  
system is being carried on, and setting  
forth the duties of the Commission and  
of the counties therewith, and provid-  
ing authority to county commissioners  
courts to select and maintain temporary  
detour roads in the county where con-  
struction of any public road is being  
carried on, not part of the State sys-  
tem of designated highways, and set-  
ting forth the duties of the commis-  
sioners court therewith."

Referred to Committee on Highways  
and Motor Traffic.

By Mr. Tillotson, Mr. Fly and Mr.  
Teer:

H. B. No. 22, A bill to be entitled  
"An Act to amend Section 2 of Chapter  
93 of the Acts of the Regular Session  
of the Fortieth Legislature, approved  
March 16, 1927, which section provides  
for the repeal of all laws in conflict with  
the provisions of said Chapter 93, and  
provides that on and after September  
1, 1928, the gasoline tax collected by  
the State shall be reduced to two cents  
a gallon, and which amendment provides  
for the repeal of the reduction of the  
gasoline tax."

Referred to Committee on Revenue  
and Taxation.

By Mr. Williamson, Mr. Fly and Mr.  
Tillotson:

H. B. No. 23, A bill to be entitled  
"An Act providing a means of eliminat-  
ing or greatly decreasing the danger at  
railroad crossings; providing a means  
for the prevention, modification, altera-  
tion or elimination of railroad grade  
crossings; prescribing the proportion of  
the expense of same to be borne by the  
railroad companies, the Highway Com-  
mission, counties or municipal corpora-  
tions, respectively; granting authority  
to the Railroad Commission relating to  
the subject matter of the act in order  
to carry out the purposes of the act;  
defining 'railroad' so as to include rail-  
ways consisting of steel or iron rails  
resting on and fastened to cross ties  
and which is used by steam or electric  
locomotives, either singly or drawing  
trains of cars, or by cars propelled by  
gas or electric power, or by interurban  
cars propelled by gas, electric power or  
steam, or by street cars propelled by  
gas or by electric power or steam, or  
drawn by muscular power; providing  
and enacting all things necessary and

incidental to the main purpose of this act whether mentioned in detail in this caption or not, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Williamson, Mr. Fly and Mr. Tillotson:

H. B. No. 24, A bill to be entitled "An Act amending Article 6704 of the Revised Civil Statutes of the State of Texas as amended by Chapter 178 of the General and Special Laws of the Regular Session of the Fortieth Legislature so as to better define first class roads which shall be classified by the commissioners courts of the various counties; making provision for detour roads to be provided by commissioners courts when counties are working on public roads; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tillotson and Mr. Williamson:

H. B. No. 25, A bill to be entitled "An Act to amend Article 6675, Chapter 1, Title 116, of the Revised Civil Statutes of Texas, 1925, which article relates to registration of motor vehicles and the issuance of licenses therefor; and which amendment provides for the registration of such motor vehicles and the issuance of licenses therefor; and provides that motor vehicles owned by non-residents shall not be subject to the provisions of such registration and payment of fee therefor for a period of thirty (30) days, and provides for reciprocal recognition of registration requirements of other States; provides that non-residents entering the State shall file with the State Highway Commission name of owner of car, State and registration number and whether or not expecting to remain longer than thirty days, and if for a longer period, and such car is from a State having a longer reciprocal period than thirty days, then such owner may be issued a special seal for a fee of one (\$1.00) dollar to cover the full period of such reciprocal period; and providing that if such non-resident shall remain for a longer time than the full period of the reciprocal recognition of registration then the full registration fee shall be paid by the State for the remainder of that calendar year; providing that such exemptions shall not apply to motor vehicles of any class used by non-residents for hire, for commercial purposes, or personal profit, all

motor vehicles of which class shall be required to pay the regular registration fee for the class of motor vehicle as paid by such vehicles owned by citizens of the State, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

#### RECESS.

Mr. Smith of El Paso moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Satterwhite moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Satterwhite prevailed, and the House, accordingly, at 5:25 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Live Stock and Stock Raising: House bills Nos. 16 and 17.

State Affairs: House bill No. 6.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1, 1927, and ending August 31, 1929, as follows, to wit: Abilene State Hospital, Austin State School, Austin State Hospital, Pasteur Institute, Confederate Home, Confederate Woman's Home, Deaf, Dumb and Blind Institute for Colored Youths, Girls' Training School, Home for Dependent and Neglected Children, State Hospital for Crippled and Deformed Children at Galveston, State Juvenile Training School, State Orphan Home, Criminal Delinquent Negro Girls' Home, Rusk State Hospital, San Antonio State Hospital, Terrell State Hospital, State Tuberculosis Sanatorium, Wichita Falls State Hospital, State



Psychopathic Hospital, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 3,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, May 23, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 2,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

#### EIGHTH DAY.

(Continued.)

(Tuesday, May 24, 1927.)

The House met at 9 o'clock a. m. and was called to order by Speaker Bobbitt.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Teer, Senate bill No. 5 was ordered not printed.

#### COMMITTEE SUBSTITUTE ORDERED PRINTED.

On motion of Mr. Wallace of Free-stone, the committee substitute to House bill No. 6 was ordered printed instead of the original bill.

#### HOUSE BILL NO. 2 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being

H. B. No. 2, A bill to be entitled "An Act making appropriations for the various State Departments."

On its passage to engrossment, with committee amendment by Mr. Teer to the section of the bill relating to the Live Stock Sanitary Commission and substitute by Mr. Kincaid for the amendment and motion by Mr. Johnson of

Dimmit to table the substitute amendment, pending.

Mr. Rogers of Shelby raised a point of order on consideration of the provision of the bill appropriating money for hog cholera serum, on the ground that the appropriation would be illegal under the existing law.

The Speaker overruled the point of order.

Question recurring on the motion to table the substitute, it prevailed.

Question then recurring on the amendment by Mr. Teer, it was adopted.

Mr. Teer offered the following (committee) amendments to this section of the bill:

Amend House bill No. 2, page 39, line 14, by striking out the figures "\$15,000" in each year and inserting in lieu thereof the figures "\$10,000" in each year.

Amend House bill No. 2, page 39, line 22, by striking out the figures "\$50,000" in each year and insert in lieu thereof the figures "\$25,000" in each year.

The amendments were severally adopted.

Mr. Teer offered the following amendment to this section of the bill:

Amend House bill No. 2, page 38, by inserting between lines 34 and 35, the following:

"For inspectors, none to exceed \$125 per month, \$25,000 for each year. This appropriation is made to pay inspectors in all counties and parts of counties lying east and south of the following line: beginning at the mouth of the Brazos river, thence with said river to the northwest corner of Robertson county, thence in an easterly direction with the north lines of Robertson and Leon counties to the northeast corner of Leon county in the west line of Anderson county; thence in southerly direction, following west line of Anderson county to the southwest corner of said county and the northwest corner of Houston county; thence in an easterly direction with the dividing line between said counties of Anderson and Houston to the southeast corner of Anderson county; thence in a northerly direction following the east line of Anderson county, to the northwest corner of Cherokee county, same being the southwest corner of Smith county; thence in an easterly direction, following the north line of Cherokee county to the northeast corner of same, being the southeast corner of said Smith county in the west line of Rusk county; thence with the west line of Rusk county, in a northerly direction, to the northwest corner of same, said